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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ MAR 15 2012 ★

UNITED STATES OF AMERICA

Plaintiff,

v.

ANNIE P. WILLIAMS,

Defendant.

BROOKLYN OFFICE

Civil Action No. 1:11-cv-04713-DLI-RML

**STIPULATED ORDER OF PERMANENT INJUNCTION**

Plaintiff, the United States of America, and defendant, Annie P. Williams ("Williams"), stipulate as follows:

1. The United States filed a complaint alleging that Williams, through her business PPH Tax & Realty, Inc. (the "PPH Business"), prepared and employed others to prepare tax returns which understated her customers' tax liabilities by including, *inter alia*, false or exaggerated employee/business expense and charitable contribution deductions, bogus dependents, unallowable child tax and childcare credits, false expense deductions for customer homes or non-qualifying rental properties, improper filing statuses, unallowable gambling losses, and other tax credits to which her customers are not entitled, including earned income tax credits. Williams denies each of these allegations.

2. Williams admits that this Court has jurisdiction over her and over the subject matter of this action.

3. Williams agrees to provide to counsel for the United States within seven (7) days of entry of this order, an affidavit in which she states, under penalty of perjury, whether, at any point after December 1, 2010, she transferred control of the PPH Business and/or the occupancy of the business location of PPH Tax & Realty, Inc. at 440 New Lots Avenue, Brooklyn, New York (the "PPH Location") to any party and, if so, she will identify that party. The affidavit must also state, if applicable: (a) the date of such transfer of control of the PPH Business and/or transfer of occupancy of the PPH Location; (b) whether any payments were made to Williams pursuant to the transfer[s]; (c) the amount of any such payments; (d) the identities of the payer[s]; (e) a description of Williams' involvement with tax preparation at the PPH Location or elsewhere after the date of the transfer[s]; (f) the date that any transferee backed out of the transfer[s] of the PPH Business or PPH Location; and (g) whether Williams regained possession of the PPH Location after any transferee backed out of the transfer[s].

4. Williams waives the entry of findings of fact and conclusions of law under Federal Rule of Civil Procedure 52 and 26 U.S.C. §§ 7402, 7407 and 7408.

5. Williams enters into this Stipulated Order of Permanent Injunction voluntarily.

6. Williams waives any right she may have to appeal from the Stipulated Order of Permanent Injunction.

7. Unless otherwise agreed-to between the parties in a separate closing agreement, the parties agree that entry of this Stipulated Order of Permanent Injunction resolves only this civil injunction action, and neither precludes the government from pursuing any other current or future civil or criminal matters or proceedings, nor precludes Williams from contesting her liability in any matter or proceeding.

8. Williams consents to the entry of this Stipulated Order of Permanent Injunction without further notice and agrees that this Court shall retain jurisdiction over her for the purpose of implementing and enforcing this Stipulated Order of Permanent Injunction. Williams further understands that if she violates this Stipulated Order of Permanent Injunction, she may be subject to civil and criminal sanctions for contempt of court.

WHEREFORE, the Court hereby FINDS, ORDERS, and DECREES:

- A. The Court has jurisdiction over this action under 28 U.S.C. §§ 1340 and 1345 and under 26 U.S.C. § 7402.
- B. Williams consents to the entry of this injunction and agrees to be bound by its terms.
- C. Williams, in her own capacity and doing business under any other name or using any other entity, and all persons in active concert or participation with her, are permanently enjoined under 26 U.S.C. §§ 7402, 7407 and 7408 from, directly or indirectly:
  - i. Acting as a federal tax return preparer by preparing or filing, or assisting in the preparation or filing of any federal tax returns or other tax forms for any other person or entity, either individually or through an entity;
  - ii. Assisting or advising anyone in connection with any tax matter;
  - iii. Having a direct or indirect ownership interest in or working for (either as an employee or independent contractor) any entity that prepares tax returns or represents clients before the Internal Revenue Service;
  - iv. Accepting, either individually or through any for-profit or non-profit entity that Williams owns, controls, or is an officer of, funds from a tax preparation business;
  - v. Organizing or selling plans, or arrangements that advise or encourage taxpayers to attempt to evade the assessment or collection of their correct federal tax;
  - vi. Engaging in any other activity subject to penalty under I.R.C. §§ 6694, 6695, 6700, or 6701;

- vii. Engaging in conduct that substantially interferes with the proper administration and enforcement of the internal revenue laws; and
- viii. Representing anyone before the IRS.

D. IT IS FURTHER ORDERED that Williams mail an executed copy of this Stipulated Order of Permanent Injunction to all persons for whom she or her tax preparation business has prepared a federal tax return or form since January 1, 2010, to the extent she has possession, custody or control of such persons' addresses. Williams must mail the copies within 60 days of the date of this order. The mailings shall include a cover letter in a form agreed to by counsel for the United States or approved by the Court, and shall not include any other documents or enclosures except those specifically mentioned herein.

E. IT IS FURTHER ORDERED that Williams produce to counsel for the United States within 30 days of the date of this order a list that identifies by name, social security number, address, e-mail address, telephone number, and tax period(s) all persons from whom she or her tax preparation business has prepared federal tax returns, forms, or claims for refund since January 2006, to the extent she has possession, custody or control of such information.

F. IT IS FURTHER ORDERED that Williams produce to counsel for the United States within 45 days of the date of this order all documents within her custody, control or possession related to any transfer of ownership of the PPH Business or transfer of occupancy of the PPH Location, that occurred on or about or after January 5, 2011, including but not limited to all contracts, draft contracts and correspondence and documents (*i.e.*, bank statements, cancelled checks) that show whether any payments

were made pursuant to the Purchase and Sale Agreement between her and East New York Tax Services, Inc.;

G. IT IS FURTHER ORDERED that Williams must, within 65 days of the date of this order, file with the Court a sworn certificate stating that she has complied with the requirements set forth in Paragraphs D, E and F of this Order.

H. IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this injunction. The United States is permitted to engage in post-judgment discovery in accordance with the Federal Rules of Civil Procedure to ensure compliance with this permanent injunction. The United States is also permitted to take up to seven (7) party or third-party depositions, pursuant to Federal Rules of Civil Procedure 30, 34 and 45, to obtain information regarding the January 5, 2011 transfer of ownership of PPH Tax & Realty.

*The Clerk of the Court is directed to enter judgment in favor of the U.S. in accord with the terms of this Order and to close this case.*  
**IT IS SO ORDERED**  
Signed this 8th day of March, 2012, in Brooklyn, NY

s/DLI

Dora Lizette Irizarry  
United States District Judge

Consented to and submitted by,

LORETTA E. LYNCH  
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